

Appl. No. 09/752,507
Amdt. Dated Oct. 29,2003
Reply to Office Action of July 31, 2003

REMARKS

Priority

In response to point 1 of the Office action, applicants respectfully request to postpone submission of the priority document until submission of the issue fee if this application is allowed.

Claim Rejections under 35 U.S.C. 102(e)

Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Holshouser (US006151486A).

In response to this rejection, Applicant has amended claims 1, 5, 6, 10, 11, 14, 16 and 18, and canceled claims 2, 7, 12, and 15 without prejudice.

Regarding claim 1, the Examiner argues that Holshouser discloses an electronic device which is the same as defined by claim 1. However, the Applicant traverses because, in the instant invention, when one of the first means and the second means is electrically activated by the power source of the electronic device, a magnetic field is created. As a result, the first means repels the second means, thereby pushing the cover from the closed position to the open position. However, In Holshouser, the unfolding apparatus comprises a conductive coil 62 and a spring member 56, and a first magnet 60a and a second magnet 60b. When electrical current flows through the conductive coil 62, a magnetic field generated by the conductive coil 62 reduces the magnetic force between the first magnet 60a and the

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second magnet 60b such that the biasing force of the spring member urges the flip cover towards the open position. It is seen that the magnetic field generated by the conductive coil is to *reduce the attraction* between the first magnet and the second magnet, *rather than directly repel* the first magnet or the second magnet as in the instant invention i.e., *increasing repulsion therebetween*. Therefore, the structure of the unfolding apparatus of the instant invention is quite different from that of Holshouser and novel in relation thereto.

Regarding claim 6, a portable communication device includes a housing, a cover, a first means, a second means, and a controller. The controller has a pair of first movable and first stationary contacts respectively, and a pair of second movable and second stationary contacts respectively, the pair of first contacts is connected to a power source of the device and the pair of the second contacts serves as contacts of an answering switch of the communication device. When the movable contacts are pressed by the controller to contact the stationary contacts, *a magnetic field is created around the first means to repel the second means*, and *the answering switch is activated*, whereby the cover is moved from the closed position to the open position for answering by a user. This important feature of the instant invention is not embodied in Holshouser. That is, the structure of the communication device of the instant invention is different from that of Holshouser and novel in relation thereto.

Regarding claim 11, an electronic device includes a housing, a cover, a first means, a second means, and a controller. When the first means is electrically connected with a power source of the electronic device under the action of the controller, a magnetic field is created to *repel the second means* away from the closed position. As asserted above, this feature is different from Holshouser and novel in relation thereto.

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Regarding claim 16, a cellular phone includes a housing, a cover, a controller, and a device mounted on the cover; wherein the controller activates circuits to create a magnetic field to repel the device mounted on the cover, which in turn, rotatably moves the cover from a closed position to an open position. However, in Holshouser, the cover is moved from a closed position to an open position under the biasing force of a spring member when a magnetic field is created to reduce attracting force between a first magnet and a second magnet. It will be apparent that the structure of the unfolding apparatus of the cellular phone is different from that of Holshouser and novel in relation thereto.

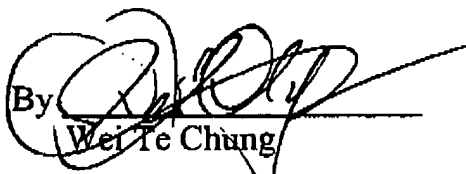
Claims 3-5 depend directly from claim 1, claims 8-10 depend directly from claim 6, claims 13-14 depend directly from claim 11, and claims 17-19 depend directly from claim 16. Some these dependent claims incorporate more features therein, and therefore are also novel over the cited reference. It is submitted that all pending claims are novel in relation to Holshouser, and are in a condition for allowance.

In brief, the instant invention uses the magnetic mechanism to control opening/closing of the cover of electronic device, while Holshouser uses magnetic plus spring mechanism to control opening/closing of the cover of the electronic device. Because the structures are different from each other, the operation ways thereof are also different from each other correspondingly. The structures as defined in the pending claims, are patentably distinguish over the cited references.

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In view of the above claim amendments and remarks, the subject application is believed to be in a condition for allowance and an action to such effect is earnestly solicited.

Respectfully submitted,
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